

## **2005 DRAFTING REQUEST**

### **Bill**

Received: **03/10/2005**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Alan Lasee (608) 266-3512**

By/Representing: **Tom Van Ess**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - school boards**  
**Education - school finance**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Sen.Lasee@legis.state.wi.us**

Carbon copy (CC:) to:

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### **Pre Topic:**

No specific pre topic given

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### **Topic:**

Scheduling of school district referenda

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### **Instructions:**

See Attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 03/10/2005	wjackson 03/16/2005		_____			S&L
/1			jfrantze 03/16/2005	_____	lemery 03/16/2005	lnorthro 04/08/2005	

FE Sent For:

<END>

↳ At Intro.

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/?	pgrant	1 Wj 3/16	J 3/16	J 3/16			

FE Sent For:

**<END>**

2005

Date (time)  
needed

A.M. today

please

LRB - 2390 / 1

PG : WLJ : \_\_\_\_\_

## BILL

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *the scheduling of* **to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .** of the statutes; **relating to:** *referenda to approve school district borrowing or exceed a school district revenue limit.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

### *Analysis by the Legislative Reference Bureau*

If titles are needed in the analysis, in the component bar:

For the main heading, execute: . . . . . **create → anal: → title: → head**

For the subheading, execute: . . . . . **create → anal: → title: → sub**

For the sub-subheading, execute: . . . . . **create → anal: → title: → sub-sub**

For the analysis text, in the component bar:

For the text paragraph, execute: . . . . . **create → anal: → text**

*(attached)*

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION #.**

## Analysis

with certain exceptions,  
If Under current law <sup>if</sup> a school board  
wishes to borrow money <sup>or exceed</sup> the <sup>revenue</sup> revenue  
limit otherwise applicable to the ~~the~~ school district,  
it must obtain the <sup>school district's</sup> approval of the ~~of the~~ electors ~~of the~~  
~~school district~~ at a referendum. A referendum  
authorizing ~~the~~ <sup>borrowing</sup> may be held at a  
special election <sup>called for that purpose</sup> or at the next regularly  
scheduled primary or election <sup>held</sup> not earlier  
than 45 days after <sup>adopting</sup> the <sup>borrowing</sup> resolution.  
Similarly,  
a referendum to exceed the district's revenue  
limit <sup>may</sup> be held at a special election  
~~except that the school board may hold it~~ or at the  
next succeeding spring primary <sup>or</sup> election <sup>or</sup>  
September primary or election held not earlier than

42 days after the resolution to exceed the  
limit is filed

4 This bill prohibits a school <sup>board</sup> ~~board~~  
from calling a special election for  
either purpose described above.

FE - 52

Section #. 67.05 (6a) (a) 2. a. of the statutes is amended to read:

67.05 (6a) (a) 2. a. Direct ~~the school district clerk to call a special election for the purpose of submitting the resolution to the electors for approval or rejection, or direct~~ that the resolution be submitted at the next regularly scheduled primary or election to be held not earlier than 45 days after the adoption of the resolution. The resolution shall not be effective unless adopted by a majority of the school district electors voting at the referendum.

**History:** 1971 c. 29; 1971 c. 154 ss. 41, 80; 1971 c. 211, 295; 1973 c. 23; 1975 c. 182, 311, 422; 1977 c. 26; 1977 c. 29 ss. 733, 734, 1654 (8) (c); 1977 c. 427 s. 132; 1979 c. 221, 297, 311; 1981 c. 20, 282, 377, 391; 1983 a. 207 ss. 47 to 52, 93 (5), (6), (7), 95; 1983 a. 236 s. 13; 1983 a. 532 s. 36; 1983 a. 538; 1985 a. 187, 225, 304; 1987 a. 197; 1987 a. 391; 1989 a. 31, 192, 205; 1991 a. 49; 1993 a. 399; 1995 a. 378; 1997 a. 237, 286; 1999 a. 9; 1999 a. 150 ss. 622, 672; 1999 a. 182; 2001 a. 16.

Section #. 121.91 (3) (a) of the statutes is amended to read:

121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m) otherwise applicable to the school district in any school year, it shall promptly adopt a resolution supporting inclusion in the final school district budget of an amount equal to the proposed excess revenue. The resolution shall specify whether the proposed excess revenue is for a recurring or nonrecurring purpose, or, if the proposed excess revenue is for both recurring and nonrecurring purposes, the amount of the proposed excess revenue for each purpose. The resolution shall be filed as provided in s. 8.37. Within 10 days after adopting the resolution, the school board shall notify the department of the scheduled date of the referendum and submit a copy of the resolution to the department. ~~The school board shall call a special referendum for the purpose of submitting the resolution to the electors of the school district for approval or rejection. In lieu of a special referendum, the school board may specify that~~ <sup>The</sup> ~~the~~ <sup>shall</sup> ~~referendum be held at the next succeeding spring primary or election or September primary or general election, if such election is~~ to be held not sooner than 42 days after the filing of the resolution of the school board. The school district clerk shall certify the results of the referendum to the department within 10 days after the referendum is held.

History: 1993 a. 16; 1995 a. 27 ss. 4108m to 4114, 9145 (1); 1997 a. 27, 113, 164, 237, 286; 1999 a. 9, 17, 19, 32, 182; 2001 a. 16.



2005

Nonstat File Sequence: **E E E**

LRB \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_

## INITIAL APPLICABILITY

1. In the component bar:  
For the action phrase, execute: ..... create → action: → \*NS: → inappl  
For the budget action phrase, execute: ..... create → action: → \*NS: → 93XX  
For the text, execute: ..... create → text: → \*NS: → inappl
2. Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

SECTION # \_\_\_\_ [93 \_\_\_\_ \_\_\_\_]. Initial applicability; .....

( #1 ) ( ) .....

The treatment of sections ..

of the statutes

first applies to .....

1. In the component bar:  
For the action phrase, execute: ..... create → action: → \*NS: → inappl  
For the text, execute: ..... create → text: → \*NS: → inapplA
2. Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

SECTION # \_\_\_\_ . Initial applicability<sup>gr</sup>.....

( #1 ) ( ) .....

This act first applies to ... a resolution adopted under section 67005 (6a) (a) of the statutes, or filed under 121.91 (3) (a) of the statutes, on the effective date of this subsection.

(End)

**Northrop, Lori**

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**From:** Van Ess, Thomas  
**Sent:** Friday, April 08, 2005 2:27 PM  
**To:** LRB.Legal

Could you please send over the jacket for LRB 2390- Sen. Lasee's school referenda bill. Thanks, Tom Van Ess